

ENTERED

July 31, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

JOSE LUIS LOPEZ,
Petitioner,

VS.

LORIE DAVIS,
Respondent.

§
§
§
§
§
§
§

CIVIL NO. B-16-314

ORDER

On June 15, 2017, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 25]. Plaintiff has objected [Doc. No. 27 & 28] to said Report and Recommendation. Defendant filed what appears to be his Motion for Extension of Time to File Objections in which he incorporates documents titled Parol and Mandatory Supervision and a Motion to Suppress [Doc. No. 30]. The Court will treat the Parol and Mandatory Supervision as additional objections.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Report and Recommendation. Jose Luis Lopez' petition for *writ of habeas corpus* by a person in state custody pursuant to 28 U.S.C. § 2254 is dismissed without prejudice for lack of jurisdiction, and Lorie Davis' motion for summary judgment is denied as moot. Additionally, the issuance of a Certificate of Appealability is denied. Defendant's Motion to Suppress [Doc. No. 30] is denied.

Signed this 31st day of July, 2017.



Andrew S. Hanen
United States District Judge